

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

RUSSELL R. KIMBRELL

PLAINTIFF

VS.

CIVIL No. 06-5199

MICHAEL J. ASTRUE,¹

COMMISSIONER, SOCIAL SECURITY ADMINISTRATION

DEFENDANT

J U D G M E N T

For reasons stated in the memorandum opinion of this date, we hereby affirm the decision of the Commissioner and dismiss plaintiff's case with prejudice. **The parties have sixty days from entry of the judgment on the docket in which to appeal.**

IT IS SO ORDERED AND ADJUDGED this 06th day of September 2007.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE

¹Michael J. Astrue became the Commissioner of Social Security on February 12, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should, therefore, be substituted for Jo Anne B. Barnhart as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).